

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

STANLEY LORENZO WILLIAMS,                     )  
   )  
   )                     Petitioner,                     )  
   )  
   )                     v.                     1:07CV757  
   )  
ROBERT W. SMITH, Supt., et al.,             )  
   )  
   )                     Respondents.             )

**ORDER**

On August 13, 2008, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. Petitioner filed objections to the Recommendation within the time limit prescribed by Section 636, as well as a motion to expand the record with a stenographic transcript (although no transcript was attached) and "requests for prompt rulings." (Docs. 32, 33, 35 & 36.)

The court has made a *de novo* determination of those portions of the Recommendation to which objections have been made and finds that they do not change the substance of the United States Magistrate Judge's rulings, which are affirmed and adopted.<sup>1</sup> Petitioner's motion to expand the record with a stenographic

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<sup>1</sup> To the extent the Recommendation suggests that Petitioner could have received more than his 14 to 17 month sentence in case 97-CRS-9849 (Doc. 28 at 10, n.1), it is immaterial to Petitioner's claims because his sentences related to crimes to which he earlier pled guilty, when aggregated, nevertheless amount to no more than the 84 to 110 months from that vacated plea. N.C. Gen. Stat. §15A-1335; State v. Oliver, 155 N.C. App. 209, 573 S.E.2d 257 (2002) (addressing treatment of multiple sentences after original conviction and sentence vacated).

transcript (Doc. 32) is DENIED for the reasons set forth in the Recommendation.

**IT IS THEREFORE ORDERED** that Respondents' motion for summary judgment (Doc. 6) is GRANTED, that the habeas corpus petition (Doc. 2) is DENIED, that this action is DISMISSED, and that finding neither a substantial issue for appeal concerning the denial of a constitutional right affecting the conviction, nor a debatable procedural ruling, a certificate of appealability is denied.

/s/ Thomas D. Schroeder  
United States District Judge

October 27, 2008